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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. BB1037 US DIV

First Inventor Saverio Carl Falco et al.

Title Chimeric Genes and Methods for Increasing the Lysine and Methionine Content of the Seeds of Plants

Express Mail Label No. EF117003511US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fast processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification (Total Pages 125)  
(preferred arrangement set forth below)
- Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) (Total Sheets 19)  
(Total Pages 2)
5. Oath or Declaration (Total Pages 2)
- a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
- i. ☒ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☒ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☒ paper - 47 pages
  - c. ☒ Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Request to Amend Drawings Under 37 CFR 1.121(d), Petition Under 37 CFR 1.148(d), Amendment Correcting Inventorship Under 37 CFR 1.148(b)

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

- ☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No. 08/823771 filed March 24, 1997, which is a Divisional of 08/474533 filed June 7, 1995, which is a Continuation in part of 08/178212 filed January 6, 1994 which was the National filing of PCT/US93/02480 filed March 18, 1993 which is a continuation part of 07/854514 filed March 19, 1992.

Prior application information: Examiner E. McElwain

Group / Art Unit: 1638

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label23906  
PATENT TRADEMARK OFFICEor ☐ Correspondence address below

Name

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Lynne M. Christenbury

Registration No. (Attorney/Agent)

30,971

Signature

Lynne M. Christenbury

Date

Dec 17, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 908

## Complete If Known

Application Number Unknown  
 Filing Date Unknown  
 First Named Inventor Saverio Carl Falco et al.  
 Examiner Name Unknown  
 Group / Art Unit Unknown  
 Attorney Docket No. BB1037 US DIV

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 04-1928

Deposit Account Name E. I. du Pont de Nemours and Company

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370			Utility filing fee	740
106	330	206	165			Design filing fee	
107	510	207	255			Plant filing fee	
108	740	208	370			Reissue filing fee	
114	160	214	80			Provisional filing fee	
SUBTOTAL (1)							(\$ 740)

### 2. EXTRA CLAIM FEES

Total Claims	11	-20	=	0	X	18	=	0
Independent Claims	5	-3	=	2	X	84	=	168
Multiple Dependent					X	280	=	0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9			Claims in excess of 20
102	84	202	42			Independent claims in excess of 3
104	280	204	140			Multiple dependent claim, if not paid
109	84	209	42			** Reissue independent claims over original patent
110	18	210	9			** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 168)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65			Surcharge - late filing fee or oath	
127	50	227	25			Surcharge - late provisional filing fee or cover sheet	
139	130	139	130			Non-English specification	
147	2,520	147	2,520			For filing a request for reexamination	
112	920*	112	920*			Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*			Requesting publication of SIR after Examiner action	
115	110	215	55			Extension for reply within first month	
116	400	216	200			Extension for reply within second month	
117	920	217	460			Extension for reply within third month	
118	1,440	218	720			Extension for reply within fourth month	
128	1,960	228	980			Extension for reply within fifth month	
119	320	219	160			Notice of Appeal	
120	320	220	160			Filing a brief in support of an appeal	
121	280	221	140			Request for oral hearing	
138	1,510	138	1,510			Petition to institute a public use proceeding	
140	110	240	55			Petition to revive - unavoidable	
141	1,280	241	640			Petition to revive - unintentional	
142	1,280	242	640			Utility issue fee (or reissue)	
143	460	243	230			Design issue fee	
144	620	244	310			Plant issue fee	
122	130	122	130			Petitions to the Commissioner	
123	50	123	50			Processing fee under 37 CFR 1.17(a)	
126	180	126	180			Submission of Information Disclosure Stmt	
581	40	581	40			Recording each patent assignment per property (times number of properties)	
146	740	246	370			Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370			For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370			Request for Continued Examination (RCE)	
169	900	169	900			Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0)

## SUBMITTED BY

Name (Print/Type) Lynne M. Christenbury Registration No. Attorney/Agent 30,971 Telephone 302-992-5481  
 Signature *Lynne M. Christenbury* Date Dec 17, 2001

## Complete (if applicable)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

SAVERIO C. FALCO ET AL.

CASE NO.: BB-1037 US DIV

APPLN. NO.: UNKNOWN

GROUP ART UNIT: UNKNOWN

FILED: UNKNOWN

EXAMINER: UNKNOWN

FOR: CHIMERIC GENES AND METHODS  
FOR INCREASING THE LYSINE AND  
THREONINE CONTENT OF THE  
SEEDS OF PLANTS

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

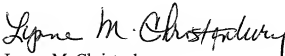
**Petition Under 37 CFR §1.48(b)**

Petition is made pursuant to 37 CFR §1.48(b) to delete the names of Sharon Jo Keeler and Janet Ann Rice as joint inventors. With this change, the inventor of the invention now claimed is Saverio Carl Falco.

Sharon Jo Keeler and Janet Ann Rice are deleted as co-inventors in the above-identified application since their contribution to the invention as originally claimed is no longer being claimed.

Please charge the required fee under 37 §CFR 1.17(h) of \$130.00 to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company). If this fee is insufficient or incorrect, please charge or credit the balance to the above-identified account.

Respectfully submitted,



Lynne M. Christenbury  
Attorney for Applicants  
Registration No. 30,971  
Telephone: 302-992-5481

Date: Dec 17, 2001

10023066-124701

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN THE APPLICATION OF:  
SAVERIO CARL FALCO ET AL.

CASE NO.: BB1037 US DIV

APPLICATION NO.: UNKNOWN

GROUP ART UNIT: UNKNOWN

FILED: CONCURRENTLY HEREWITH

EXAMINER: UNKNOWN

FOR: **CHIMERIC GENES AND METHODS FOR INCREASING THE LYSINE AND  
THREONINE CONTENT OF THE SEEDS OF PLANTS**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**DECLARATION IN ACCORDANCE WITH 37 CFR 1.821**

I hereby state that the content of the paper and computer readable copies of the  
Sequence Listing, submitted in accordance with 37 CFR 1.821(c) and (e), respectively are the  
same.

Respectfully submitted,



LYNNE M. CHRISTENBURY  
ATTORNEY FOR APPLICANTS  
REGISTRATION NO. 30,971  
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FACSIMILE: 302-892-1026

Dated: Dec 17, 2001

10023065-121701